

Notice of Allowability

Application No.

09/737,434

Examiner

Thong H. Vu

Applicant(s)

ULLMAN, LORIN EVAN

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/23/07.
2. ☒ The allowed claim(s) is/are 3,4,6,7,10,11,13,14,17,18,20,21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached.
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



THONG VU

PRIMARY PATENT EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

1. Authorization for this examiner's amendment was given in a telephone interview with Wayne P. Bailey, Reg. No 34,289 on 5/29,2007. The application has been amended as follows:

The new abstract is followed:

A method, system, apparatus, and computer program product are presented for management of a distributed data processing system. Resources within the distributed data processing system are dynamically discovered, and the discovered resources are adaptively monitored using the network management framework. A network or system administrator configures some mission critical endpoints with multiple network interface cards (NICs) and specifies mission critical endpoints, non-mission critical actions, etc. During status collection activities associated with network or system management activities, the categorization of an endpoint as a mission-critical or non-mission critical endpoint affects the manner in which the status collection activity is performed. Applications can request the performance of actions at endpoints without regard to the categorization of the endpoint or without regard to the categorization of the requested action, and the network management system routes the action based on whether or not the specified endpoint is a mission critical endpoint.

2. Authorization for this examiner's amendment was given in a telephone interview with Wayne P. Bailey, Reg. No 34,289 on 7/24,2007. The application has been amended as follows:

Claim 17:

A computer readable medium having a computer program product for use in a distributed data processing system for managing the distributed data processing system, the computer program product being executed and comprising:
instructions for configuring monitoring parameters for network interface cards within the distributed data processing system using a network management framework;
instructions for dynamically discovering a set of discovered endpoints within the distributed data processing system;

Art Unit: 2616

instructions for designating a plurality of discovered endpoints as mission critical endpoints;
instructions for choosing mission critical twin endpoints from a subset of discovered endpoints which have not been previously specified as twin endpoints; and
instructions for associating a mission critical twin endpoint with each mission critical endpoint, wherein a mission critical twin endpoint is a discovered endpoint that has a communication history with a mission critical endpoint with which the mission critical twin endpoint is being associated.

Claim 18:

The computer readable medium having a computer program product of claim 17 further comprising:
instructions for retrieving a Simple Network Management Protocol (SNMP) table from a discovered endpoint;
instructions for searching the SNMP table for an address associated with a mission critical endpoint, and
instructions for associating the discovered endpoint with the mission critical endpoint in response to finding the address associated with the mission critical endpoint in the SNMP table.

19. (Canceled)

Claim 20:

The computer readable medium having a computer program product of claim 17 further comprising:
instructions for selecting an endpoint in the subset of discovered endpoints that has a most significant communication history with a particular mission critical endpoint; and
instructions for creating a mission critical twin association between the selected endpoint and the particular mission critical endpoint in response to a determination of the most significant communication history.

Claim 21:

The computer readable medium having a computer program product of claim 20 further comprising:
instructions for retrieving a Simple Network Management Protocol (SNMP) table from a discovered endpoint in the subset of discovered endpoints;
instructions for searching the SNMP table for an address associated with the particular mission critical endpoint;
instructions for obtaining, in response to finding the address associated with the particular mission critical endpoint in the SNMP table, a value from the SNMP table to be compared with values obtained from other retrieved SNMP tables; and
instructions for determining the most significant communication history based on a comparison of the values obtained from the retrieved SNMP tables.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong H. Vu whose telephone number is 571-272-3904. The examiner can normally be reached on 6:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thong Vu
Primary Examiner

A handwritten signature in black ink, appearing to read 'Thong Vu', with a horizontal line underneath.

THONG VU
PRIMARY PATENT EXAMINER